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Subject: News Clips (May 14, 2012)

Good morning and FYI:

News Headline: After falling behind in recycling, New Jersey looks for solutions[http://www.northjersey.com/recap/After falling behind in recycling New Jersey looks for solutions.htmlmailto:?subject=News Forwarded: After falling behind in recycling, New Jersey looks for solutions...&body=After falling behind in recycling, New Jersey looks for solutions%0A05/13/2012%0ANorthJersey.com%0A%0ATwenty-five years after New Jersey became the first state to require residents to recycle, there has been a precipitous decline in what's ending up in recycling bins -- a blow not only to the environment but to municipal budgets.Mandatory recycling was...%0A%0ALink:http://www.northjersey.com/recap/After falling behind in recycling New Jersey looks for solutions.html](http://www.northjersey.com/recap/After_falling_behind_in_recycling_New_Jersey_looks_for_solutions.htmlmailto:?subject=News%20Forwarded%3A%20After_falling_behind_in_recycling_New_Jersey_looks_for_solutions...&body=After_falling_behind_in_recycling_New_Jersey_looks_for_solutions%0A05/13/2012%0ANorthJersey.com%0A%0ATwenty-five_years_after_New_Jersey_became_the_first_state_to_require_residents_to_recycle_there_has_been_a_precipitous_decline_in_what's_ending_up_in_recycling_bins--a_blow_not_only_to_the_environment_but_to_municipal_budgets.Mandatory_recycling_was...%0A%0ALink:http://www.northjersey.com/recap/After_falling_behind_in_recycling_New_Jersey_looks_for_solutions.html)

Outlet Full Name: NorthJersey.com

News Text: Twenty-five years after New Jersey became the first state to require residents to recycle, there has been a precipitous decline in what's ending up in recycling bins — a blow not only to the environment but to municipal budgets.

Mandatory recycling was driven by a worry about shrinking landfill space, but today, with more robust markets for recycled products, towns make money collecting and selling what's left at the curb. Yet while recycling is strong in other parts of the nation, residents here are putting fewer recyclables out than they did a decade ago.

"There's a recycling malaise. Recycling seems to have leveled off at a time when there should be a renewed commitment," said Judith Enck, the Environmental Protection Agency's administrator for New York and New Jersey. "It's crazy to be burying and burning these resources."

Recycling has declined locally in part because of the recent recession. Consumers with less money translated into fewer products purchased — and less need for containers or packing boxes. In addition, declines in advertising meant fewer newspapers, inserts and circulars to be recycled.

Still, many items that can be recycled aren't making it into the bins.

In Bergen County, recycling has fallen from a peak of 549,363 tons in 1998 to an all-time low of 446,666 in 2009, the last year for which figures are available. In Passaic County, recycling peaked at 226,683 tons in 1995, then dropped to 197,932 by 2009.

LINK

News Headline: The Record: One more time

Outlet Full Name: NorthJersey.com

News Text: LONG BEFORE "paper or plastic?" became part of our everyday language, and long before their legislative counterparts across the country caught on to the idea, New Jersey lawmakers saw the rightness and conservation value in recycling. Since the law requiring residents to recycle was enacted 25 years ago, several hundreds of thousands of tons of recycled waste have been collected and sold at a benefit to local taxpayers.

As New Jersey celebrates the law's quarter-century milestone, however, it needs a refresher course on how important the simple, singular act of recycling can be. As Staff Writer James O'Neill reports, the total amount of recycling tonnage has gone down in recent years. In Bergen County, for example, recycling has

fallen from a peak of 549,363 tons in 1998 to an all-time low of 446,666 in 2009, the last year for which figures are available. In Passaic County, recycling peaked at 226,683 tons in 1995, then dropped to 197,932 in 2009.

This is a troubling trend that should be reversed. New Jersey is the Garden State. It has been innovative about green initiatives, and ahead of the curve on recycling. Now, as markets for recycled products have become more in demand than ever, it's time for the state to recommit to recycling.

When the law was enacted, officials hoped to recycle 25 percent of the state's waste stream. By 1993, that goal was raised to 50 percent. In recent years, though, and in part due to the weakened economy, recycling numbers have fallen off. Indeed, only 37 percent of waste was recycled statewide in 2009.

"There's a recycling malaise. Recycling seems to have leveled off at a time when there should be a renewed commitment," said Judith Enck, the Environmental Protection Agency's administrator for New York and New Jersey. "It's crazy to be burying and burning these resources."
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News Headline: Cuba embargo could threaten oil-drilling safety, expert

sayshttp://www.bostonherald.com/news/international/americas/view/20120511cuba_embargo_could_threaten_oil-drilling_safety_expert_says/[mailto:?subject=News Forwarded: Cuba embargo could threaten oil-drilling safety, expert says...&body=Cuba embargo could threaten oil-drilling safety, expert says%0A05/11/2012%0ABoston Herald - Online%0A%0AWASHINGTON - The 50-year-old U.S. embargo of Cuba is getting in the way of safety when it comes to deepwater drilling in Cuban waters, an expert on the communist country's offshore drilling activity said Thursday.Lee Hunt, the former president of the I...%0A%0ALink: http://www.bostonherald.com/news/international/americas/view/20120511cuba_embargo_could_threaten_oil-drilling_safety_expert_says/](mailto:?subject=News%20Forwarded%3A%20Cuba%20embargo%20could%20threaten%20oil-drilling%20safety%20expert%20says...&body=Cuba%20embargo%20could%20threaten%20oil-drilling%20safety%20expert%20says%0A05%2F11%2F2012%0ABoston%20Herald%20-%20Online%0A%0AWASHINGTON%20-%20The%2050-year-old%20U.S.%20embargo%20of%20Cuba%20is%20getting%20in%20the%20way%20of%20safety%20when%20it%20comes%20to%20deepwater%20drilling%20in%20Cuban%20waters%2C%20an%20expert%20on%20the%20communist%20country's%20offshore%20drilling%20activity%20said%20Thursday.Lee%20Hunt%2C%20the%20former%20president%20of%20the%20I...%0A%0ALink%3A%20http%3A%2F%2Fwww.bostonherald.com%2Fnews%2Finternational%2Famericas%2Fview%2F20120511cuba_embargo_could_threaten_oil-drilling_safety_expert_says/)

Outlet Full Name: Boston Herald - Online

News Text: WASHINGTON - The 50-year-old U.S. embargo of Cuba is getting in the way of safety when it comes to deepwater drilling in Cuban waters, an expert on the communist country's offshore drilling activity said Thursday.

Lee Hunt, the former president of the International Association of Drilling Contractors, warned that Cold War-era economic sanctions threaten not only Florida's economy and environment but that of Cuba, too, in the event of a major disaster on the scale of 2010's Deepwater Horizon oil spill. The worst-case scenario is "state-sponsored chaos at a disaster site," Hunt said during an event sponsored by the Center for International Policy, a Washington think tank that advocates for a foreign policy based on human rights.

The U.S. Coast Guard has extensive response plans, as does the state of Florida. But Hunt said he would give prevention efforts an "F" grade. He likened the work to stocking body bags for a plane crash - but not training pilots to fly safely or to maintain aircraft properly.

"We're getting ready for what will inevitably happen if we don't take the right proactive steps," Hunt said.

His warning and that of other experts came as the Spanish oil company Repsol is about to tap an offshore reservoir beneath 5,600 feet of seawater and about 14,000 feet of rock. The company, the first of many set to drill for oil off Cuba's coast, is working just 77 nautical miles from Key West, Fla.
LINK

InsideEPA

Superfund Report - 05/14/2012

Senators Urge EPA To Prioritize Abandoned Lead Smelter Sites For Cleanup

Democratic lawmakers are urging EPA to review a host of former lead production sites that may be contaminated with the toxic metal in order to determine priorities for cleanup following recent news reports that found excessively high lead levels at sites in 13 states.

"We urge you to take immediate action to review unassessed sites to determine priority locations for remediation, such as those near schools or playgrounds," according to a May 9 letter from six senators to EPA Administrator Lisa Jackson. "It is necessary to ensure that people living near these sites, especially children, are safe. Restoring sites to a level that protects human health and the environment is essential." *The letter is available on InsideEPA.com. (Doc ID: 2398661)*

Democratic Sens. Sherrod Brown (OH), Robert Casey Jr. (PA), Jack Reed (RI), Sheldon Whitehouse (RI), Jeff Merkley (OR) and Al Franken (MN) signed the letter.

The request follows a recent report by *USA Today* that found EPA had failed in many cases to respond to a slew of former lead smelting sites across the country, many of which now hold parks, neighborhoods and schools. For those instances where the agency did take action, it was often not enough.

The April 19 report, entitled "Ghost Factories: Poison in the Ground," details how despite a 2001 study alerting EPA to the existence of more than 400 former lead smelting sites that would likely require cleanup but were not present in EPA records, the agency failed to act on many of them or even alert local health officials of the possible contamination. As a result, the newspaper found many children in those areas have high levels of lead in their blood.

With the aid of that 2001 research article in the *American Journal of Public Health*, the newspaper undertook a 14-month investigation to identify the sites and see what, if anything, had happened to them. In many cases the sites and surrounding areas had not been assessed -- although EPA officials insisted in interviews with the paper that the most high-risk sites had been looked at -- and local authorities had not been notified of their existence or problem, an issue of particular concern to the senators.

"Better answers to public health concerns and ways to address necessary cleanup issues are needed to ensure that families can rest assured that their neighborhoods are safe for children," the senators wrote.

In the *USA Today* report, Mathy Stanislaus, head of EPA's Office of Solid Waste and Emergency Response, told the newspaper that "EPA and our state and local partners have overseen thousands of cleanups, through a variety of programs. Unfortunately, some of the sites USA TODAY identified have not yet been addressed or investigated by EPA. EPA will review USA TODAY's information to determine what steps can be taken to ensure Americans are not being exposed to dangerous levels of lead."

An EPA spokeswoman in a statement responding to the letter further added that "EPA shares the Senators' concern for protecting Americans' health. EPA is currently reviewing USA Today's sampling data and case studies and has already begun evaluating a number of the sites on the list to determine if they pose a risk to the surrounding communities -- we will continue to work with states and local partners to evaluate those sites."

Despite the concern over lead, a known neurotoxin, EPA's response may be stunted because of funding limits and as the agency waits to assess the state of the science behind the metal's risks.

In particular, Stanislaus told a March 28 House Transportation and Infrastructure Committee (T&I) water panel hearing on the agency's budget that EPA is already planning to suspend initiating any new cleanups in fiscal year 2013 due to existing budget constraints.

EPA's FY13 budget proposes \$1.176 billion for Superfund hazardous waste cleanups, down \$37

million from the FY12 enacted level. The cut will "result in no new EPA-lead construction project starts in FY 2013," Stanislaus said. "EPA will balance the Superfund remedial pipeline while focusing on the completion of ongoing projects rather than new starts."

But the reduction in funding for Superfund cleanups and resulting stagnation of the backlog of sites for which EPA is the sole party -- known as "orphan sites" -- will harm EPA's ability to address those sites, the agency says. The remediation account is projected to absorb the majority of the Superfund program's budget reduction -- taking a \$33 million cut out of the \$37 million decrease (*Superfund Report*, April 2).

Most of the former lead smelting facilities are likely orphan sites given that the companies that once operated them in many cases went out of business years ago. As a result, any cleanups -- if a site merited a spot on Superfund's National Priorities List -- would have to be funded by EPA, thus the prospects for action on the sites in the near future are slim. However, EPA officials told *USA Today* that many of the sites may not reach the contamination level necessary for placement on the NPL, further leaving the responsibility for those cleanups unclear.

Meanwhile, EPA is also delaying an overhaul of its risk assessment for lead despite calls from agency offices and regions. EPA says it will wait until it finalizes later this year its pending Clean Air Act assessment of the ubiquitous metal for its ambient air standards and until it sees the results from a National Toxicology Program's study of low-level exposures, also expected in 2012, before considering moving forward with an Integrated Risk Information System assessment.

The decision to defer its lead assessment comes despite growing pressure on EPA to better account for the risks of lead, which is known to have developmental impacts, especially in light of a growing body of evidence that shows there is no safe level of exposure to the metal (*see related story*). -- *Jenny Hopkinson*

News Headline: EPA says well water in northeastern Pa. gas drilling town is safe; residents dispute assertionhttp://www.washingtonpost.com/national/energy-environment/epa-says-well-water-in-northeastern-pa-gas-drilling-town-is-safe-residents-dispute-assertion/2012/05/11/gIQATyDMIU_story.htmlmailto:?subject=News Forwarded: EPA says well water in northeastern Pa. gas drilling town is safe%3B residents dispute assertion...&body=EPA says well water in northeastern Pa. gas drilling town is safe%3B residents dispute assertion%0A05/11/2012%0AWashington Post - Online%0A%0AALLENTOWN, Pa. -- Federal environmental regulators say testing of scores of drinking-water wells in a northeastern Pennsylvania village has failed to show unsafe levels of contamination, a blow to residents who assert a gas driller tainted their water supp...%0A%0ALink: http://www.washingtonpost.com/national/energy-environment/epa-says-well-water-in-northeastern-pa-gas-drilling-town-is-safe-residents-dispute-assertion/2012/05/11/gIQATyDMIU_story.html

Outlet Full Name: Washington Post - Online

News Text: ALLENTOWN, Pa. — Federal environmental regulators say testing of scores of drinking-water wells in a northeastern Pennsylvania village has failed to show unsafe levels of contamination, a blow to residents who assert a gas driller tainted their water supply with hazardous chemicals nearly four years ago.

The U.S. Environmental Protection Agency released test results for an additional 12 homes on Friday and said they "did not show levels of contaminants that would give EPA reason to take further action." It was the fourth and final release of data for homes in Dimock, a rural Susquehanna County community that's found itself in the middle of a passionate debate over the safety of drilling and hydraulic fracturing in deep rock formations like the Marcellus Shale.

The EPA testing is only a snapshot of the highly changeable aquifer and will not be the final word on the health of the water supply. But pro-industry groups and Cabot Oil & Gas Corp., the Houston-based driller whose faulty gas wells were previously found to have leaked methane into the aquifer, assert the test results justify their position that Dimock's water is safe.

Residents who are suing Cabot and anti-drilling activists accuse EPA of misrepresenting the data.

LINK

News Headline: EPA: Pa. town's water not polluted by

fracking[http://content.usatoday.com/communities/ondeadline/post/2012/05/epa-pa-villages-drinking-water-not-polluted-by-fracking/1mailto:?subject=News Forwarded: EPA%3A Pa. town's water not polluted by fracking...&body=EPA%3A Pa. town's water not polluted by fracking%0A05/11/2012%0AUSA Today - Online%0A%0ADrinking-water wells in a northeastern Pennsylvania community show no unsafe levels of contamination from the drilling method known as fracking, the Environmental Protection Agency announced today.Test results \(pdf\) for the last 12 of 61 homes in Dimoc...%0A%0ALink: http://content.usatoday.com/communities/ondeadline/post/2012/05/epa-pa-villages-drinking-water-not-polluted-by-fracking/1](http://content.usatoday.com/communities/ondeadline/post/2012/05/epa-pa-villages-drinking-water-not-polluted-by-fracking/1mailto:?subject=News%20Forwarded:%20EPA%20Pa.%20town's%20water%20not%20polluted%20by%20fracking...&body=EPA%20Pa.%20town's%20water%20not%20polluted%20by%20fracking%200A05/11/2012%20USA%20Today%20-%20Online%20%20Drinking-water%20wells%20in%20a%20northeastern%20Pennsylvania%20community%20show%20no%20unsafe%20levels%20of%20contamination%20from%20the%20drilling%20method%20known%20as%20fracking,%20the%20Environmental%20Protection%20Agency%20announced%20today.Test%20results%20(pdf)%20for%20the%20last%2012%20of%2061%20homes%20in%20Dimock...%20%20Link: http://content.usatoday.com/communities/ondeadline/post/2012/05/epa-pa-villages-drinking-water-not-polluted-by-fracking/1)

Outlet Full Name: USA Today - Online

News Text: Drinking-water wells in a northeastern Pennsylvania community show no unsafe levels of contamination from the drilling method known as fracking, the Environmental Protection Agency announced today.

Test results (pdf) for the last 12 of 61 homes in Dimock, "did not show levels of contaminants that would give EPA reason to take further action," the agency said, according to the Associated Press.

Data on two homes was not released because the agency was unable to contact the owners.

The Scranton Times-Tribune offers more details:

One well in the previous set of samples contained arsenic at nine times the safe drinking water limit and did pose a health threat, the agency said, but a resident refused offers of replacement water.

LINK

News Headline: Water safe in town made famous by fracking[http://www.reuters.com/article/2012/05/11/us-usa-fracking-dimock-idUSBRE84A0Z120120511mailto:?subject=News Forwarded: Water safe in town made famous by fracking%3A EPA...&body=Water safe in town made famous by fracking%3A EPA%0A05/12/2012%0AREuters - Online%0A%0AWASHINGTON \(Reuters\) - The U.S. Environmental Protection Agency said drinking water is safe to consume in a small Pennsylvania town that has attracted national attention after residents complained about hydraulic fracturing, or fracking, for natural gas....%0A%0ALink: http://www.reuters.com/article/2012/05/11/us-usa-fracking-dimock-idUSBRE84A0Z120120511](http://www.reuters.com/article/2012/05/11/us-usa-fracking-dimock-idUSBRE84A0Z120120511mailto:?subject=News%20Forwarded:%20Water%20safe%20in%20town%20made%20famous%20by%20fracking%3A%20EPA...&body=Water%20safe%20in%20town%20made%20famous%20by%20fracking%3A%20EPA%200A05/12/2012%20Reuters%20-%20Online%20%20WASHINGTON%20(Reuters)%20-%20The%20U.S.%20Environmental%20Protection%20Agency%20said%20drinking%20water%20is%20safe%20to%20consume%20in%20a%20small%20Pennsylvania%20town%20that%20has%20attracted%20national%20attention%20after%20residents%20complained%20about%20hydraulic%20fracturing,%20or%20fracking,%20for%20natural%20gas....%20%20Link: http://www.reuters.com/article/2012/05/11/us-usa-fracking-dimock-idUSBRE84A0Z120120511)

Outlet Full Name: Reuters - Online

News Text: WASHINGTON (Reuters) - The U.S. Environmental Protection Agency said drinking water is safe to consume in a small Pennsylvania town that has attracted national attention after residents complained about hydraulic fracturing, or fracking, for natural gas.

The EPA has tested water at 61 homes in Dimock, Pennsylvania, where residents have complained since 2009 of cloudy, foul-smelling water after Cabot Oil & Gas Corp drilled for gas nearby.

"This set of sampling did not show levels of contaminants that would give EPA reason to take further action," Roy Seneca, a spokesman for the regional EPA office, said about the final set of data released Friday. The agency released data for only 59 of the homes as they could not contact residents at two of them.

Dimock became ground zero for the debate about fracking after Josh Fox, the director of Oscar-nominated 2010 documentary called "Gasland," visited the town and met residents who feared their water was contaminated by the drilling.

Techniques including fracking have revolutionized the U.S. natural gas industry by giving companies access to vast new reserves that could supply the country's demand for 100 years, according to the

industry.
LINK

E&E News

EPA rules water safe in Pa. town of 'Gasland' fame

Gabriel Nelson, E&E reporter

U.S. EPA testing in Dimock, Pa., didn't find any water wells with unsafe levels of chemicals tied to hydraulic fracturing, the agency said today as it released the fourth and final set of results from samples drawn from January to March.

The announcement disappointed locals who've said for years that natural gas drilling tainted their water.

One of the 12 water wells tested had an elevated level of methane, the main ingredient of natural gas, but the samples "did not show levels of contaminants that would give EPA reason to take further action," the agency said.

EPA did take the step of warning the methane-tainted well's owner and informing both the Pennsylvania Department of Environmental Protection and local emergency responders of the situation.

"Throughout EPA's work in Dimock, the agency has used the best available scientific data to provide clarity to Dimock residents and address their concerns about the safety of their drinking water," spokesman Roy Seneca said in a statement.

Dimock, a hamlet 35 miles northwest of Scranton, was made famous by the 2010 documentary "Gasland," in which some of the town's homeowners appeared setting the water from their faucets on fire and discussing their chronic health problems.

Some residents say Houston-based Cabot Oil & Gas Corp. contaminated groundwater by drilling wells into the underground Marcellus Shale and fracturing the rock to release natural gas inside.

Drilling companies have bristled at scrutiny from the Obama administration, but they have claimed vindication with each release of data from Dimock wells, saying tests show their activities have not put people or the environment at risk.

"EPA again did not indicate that those contaminants that were detected bore any relationship to gas development in the Dimock area," Cabot spokesman George Stark said in an email today. "These contaminants are more likely indicative of naturally-occurring background levels or other unrelated activities."

EPA has now released results from 59 of the 61 wells in Dimock that it tested this year. The tests found elevated amounts of a number of contaminants, including arsenic, chromium and bacteria.

None of the tests found elevated levels of harmful drilling chemicals. Though elevated methane levels can signal contamination caused by faulty drilling, methane can also naturally enter aquifers.

EPA says it will finish its testing by resampling four wells where Cabot and state officials found contaminants that EPA did not. The agency will also contact three homeowners who said they wanted testing done but didn't make an appointment earlier this year.

BNA

**EPA Releases Another Set of Test Results
Finding No Violations in Dimock Water Wells
By Alan Kovski**

The Environmental Protection Agency released a fourth set of test results May 11 for water wells in Dimock, Pa., with findings that none of the samples violated regulatory standards for drinking water. EPA decided to test 61 wells in the northeastern Pennsylvania township after methane in groundwater was blamed on nearby natural gas drilling by Cabot Oil & Gas Corp. in 2009 and focused national attention on Dimock (67 DEN A-9, 4/9/12).

The latest samples were from 12 private drinking water wells, bringing to 59 the number of wells that have been tested without finding a violation of water quality standards.

“This set of sampling did not show levels of contaminants that would give EPA reason to take further action,” EPA said in a statement released by its Region 3 office in Philadelphia. “At one well, EPA found an elevated level of methane and informed the resident, the Pennsylvania Department of Environmental Protection, and the Susquehanna County Emergency Management Agency.”

Data for two other wells were not released in the latest group because EPA had not had a chance to provide the results to residents first.

Cabot Pleased Results Are Out

Cabot welcomed the latest results with a statement saying, “Cabot is pleased that EPA has now reached the same conclusion of Cabot and state and local authorities resulting from the collection of more than 10,000 pages of hard data—that the water in Dimock meets all regulatory standards.”

The company said none of the detected contaminants bore any relationship to gas development in the Dimock area.

Cabot continues to be a significant producer of gas from the Marcellus Shale in Pennsylvania.

EPA said it has not finished its Dimock work.

“To provide certainty to residents and ensure a thorough and accurate analysis, EPA will resample the four wells where previous Cabot and state data showed levels of contaminants that pose a health concern but where EPA's initial round of sampling data did not detect levels that would require action,” the agency said.

“Once all of the sample results are complete, we will conduct a comprehensive review to determine if there are any trends or patterns in the data as it relates to home well water quality,” EPA said.

BNA

**Solid Waste
Landfill Gas Emissions Drop as Technologies Expand**

Greenhouse gas emissions from the solid waste industry have decreased more than 27 percent since 1990, and the industry now generates just 1.8 percent of emissions resulting from human activities, according to a greenhouse gas inventory from the Environmental Protection Agency. Municipal solid waste and industrial solid waste landfills produced 147.7 teragrams of carbon dioxide-equivalents (TgCO₂Eq) in 1990, but they reduced that output to 107.8 TgCO₂Eq in 2010. Output from natural gas and enteric fermentation in animals actually rose during the period, but landfill emissions declined steadily due to greater use of gas collection and destruction equipment. The proportions of greenhouse gases from landfills, consisting largely of methane, carbon monoxide, and nitric oxide, remained essentially unchanged over the 20-year period. The results of the EPA inventory were compiled into a research bulletin by the National Solid Wastes Management Association. The bulletin is available at <http://www.environmentalistseveryday.org/docs/research-bulletin/Research-Bulletin-GHG-Inventory-2012.pdf>.

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